

**HOUSE . . . . . No.**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

**James R. Miceli**

*To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:*

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying bill:

An Act relative to the middlesex canal commission. .

PETITION OF:

NAME:	DISTRICT/ADDRESS:
James R. Miceli	19th Middlesex
Bruce E. Tarr	First Essex and Middlesex

[SIMILAR MATTER FILED IN PREVIOUS SESSION  
SEE HOUSE, NO. 813 OF .]

## The Commonwealth of Massachusetts

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In the Year Two Thousand and Nine

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AN ACT RELATIVE TO THE MIDDLESEX CANAL COMMISSION.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1 SECTION 1. Section one of chapter 403 of the acts of 1977, as amended by section one of  
2 chapter 51 of the acts of 1982, is hereby further amended by striking out the first sentence and  
3 inserting in place thereof the following sentence:-

4 There is hereby established the Middlesex Canal Commission, hereinafter called the  
5 commission, to consist of one member of the House of Representatives to be appointed by the  
6 speaker of the house of representatives; one member of the senate to be appointed by the  
7 president of the senate; one person, with alternates, to be appointed by the chief administrative  
8 official of each of the municipalities of Lowell, Chelmsford, Billerica, Wilmington, Woburn,  
9 Winchester, Medford, Somerville, and Boston; the commissioner of the department of  
10 conservation and recreation, ex officio, or his designee; the commissioner of the Massachusetts  
11 highway department, ex officio, or his designee; the executive director of the Metropolitan Area  
12 Planning Council and the executive director of the Northern Middlesex Council of Government.

13 Section 2. Section 2 of said chapter 403 is hereby amended by striking out the fourth paragraph  
14 and inserting in place thereof the following paragraph:-

15 The commission will consider the feasibility and make recommendation to the commissioner of  
16 the department of conservation and recreation regarding the establishment, ownership and  
17 operation of a Middlesex Canal State Heritage Park.

18 Section 3. Section 2 of said chapter 403 is hereby amended by striking out the fourth paragraph,  
19 inserted by section 2 of chapter 51 of the acts of 1982, and inserting in place thereof the  
20 following paragraph:-

21 At least 14 days before the appropriate board of a member city or town permits or approves an  
22 activity or action within 100 feet of the route of the Middlesex Canal, notice shall be given in  
23 writing to the commission. The appropriate boards shall include, but not be limited to, the city  
24 council, board of selectmen, board of aldermen, planning board, zoning board of appeals,  
25 conservation commission, historical commission, building or public works department.